

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Inventors: Anders PETTERSSON et al.)	Confirmation No. 3677
)	
Application No.: 10/531,598)	Group Art Unit: 1618
)	
Filed: November 25, 2005)	Examiner: Young, M.P.
)	
For: GASTRIC ACID SECRETION INHIBITING)	
COMPOSITION)	

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

The applicants are filing herewith Notice of Appeal in response to the final rejection in this application.

At interview on April 25, 2008 regarding this application and Appln. No. 11/544,750, the applicant Anders Pettersson; Thomas Lundqvist, the Chief Innovations Officer of applicants' assignee; Stephen McNeeney, applicants' European patent attorney; and the undersigned, met with Examiner Micah-Paul Young and his Supervisor Michael Hartley as noted in the Examiner's Interview Summary of April 29, 2008.

The Examiner's Section 103(a) rejections of record were discussed at the interview. It was noted on the applicants' behalf that the invention defined by the claims was not obvious from the art, particularly since the thinking in the art, at the time the applicants made their invention, was that PPIs and H2 antagonists could not be used together. The Examiner and his Supervisor suggested the submission of further evidence to support the applicants' position.

During the discussion, the Supervisory Examiner raised the possibility of an enablement objection. However, it is believed that this comment resulted from a misunderstanding on the Supervisory Examiner's part that the claimed combination had been tried in the prior art but had failed. The applicants are not, however, aware of any prior art effort to use PPIs and H2

antagonists together. On the contrary, it is the applicants' position, as pointed out in the record and at the interview, that, before the applicants' invention, those in the art would not have considered using PPIs and H2 antagonists together because of their conflicting modes of action in the treatment of gastrointestinal disorders.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Paul N. Kokulis, Reg. No. 16,773

Date: August 7, 2008

Customer No. 09629

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Phone: (202) 739-3000

Facsimile: (202) 739-3001

Direct: (202) 739-5455